

CITY COUNCIL MINUTES
October 8, 2012
REGULAR SESSION

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, October 8, 2012 at 6:00 p.m. with Mayor Hanley presiding and City Clerk Joseph G.R. Labrie recording the minutes.

CALL TO ORDER

ROLL CALL:

Council Members Present: Keith Nesbitt, J. M. "Mike" Holmes, William W. Kirby, Bridget Powers, Kevin Hanley

Council Members Absent: None

Staff Members Present: City Manager Robert Richardson, City Attorney Michael Colantuono, Community Development Director Will Wong, Fire Chief Mark D'Ambrogi, Administrative Services Director Andy Heath and Police Chief John Ruffcorn.

By **MOTION** adjourn to a Closed Session at 5:30 p.m. under Government Code Section 54957.6

MOTION: Holmes/ Powers/ Unanimously approved by voice

1. **Conference with Labor Negotiators:**
(G.C. 54957.6)

Agency Designated Representatives: Robert Richardson, Patrick Clark

Employee Group: Auburn Police Officers Association

REPORT OUT OF CLOSED SESSION

No reportable action.

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

The agenda was approved as presented by consensus of the Council.

CONSENT CALENDAR

1. **Warrants**

By **RESOLUTION 12-104**, ratify and approve payment of warrants 80704 through 80863 totaling \$575,751.44.

2. **Airport Ground Lease Amendment**

By **RESOLUTION 12-105**, authorize the City Manager or his designee to execute a second amendment to the Auburn Municipal Airport Ground Lease Agreement as it relates to the lease between the City of Auburn and Douglas and Nancy Van Howd, Trustees of the Van Howd Family Trust.

3. **Professional Services Agreement with Bushwackers Inc.**

By **RESOLUTION 12-106**, approve the Professional Services Agreement with Bushwackers Inc. to implement fuel reduction and chipping services on the American Canyon River Shaded Fuel Break through the Sierra Nevada Conservancy Proposition 84 Grants Program Agreement number 567 and authorize the Fire Chief to execute this agreement.

***** End of Consent Calendar *****

By **MOTION**, approve the consent calendar.

MOTION: Nesbitt/ Powers/ approved 5:0

4. **Public Comment**

Surina Leibold, resident of Auburn, spoke about drug use by teenagers in Auburn. She said she would like to hold a meeting to get the community involved to discuss a more proactive approach to drug use prevention.

PUBLIC HEARING

5. **Sign Regulations Ordinance/ Temporary Sign Program**

Community Development Director Will Wong presented this item. He reviewed the past actions by the Council on the temporary sign program and the proposed sign ordinance. He reviewed the revisions made to the ordinance since the last public hearing.

Council Member questions followed regarding: (1) temporary sign relaxation program, (2) temporary non-commercial signs, (3) window

signs, (4) sign inventory, (5) determination of sign values, (6) abandoned signs, (7) non-conforming signs, (8) neon signs, (9) historic signs, (10) banners, (11) restrictions on businesses during recession, (12) complaints, and (13) replacement of neon signs.

City Attorney Michael Colantuono explained the current City policy on political signage and advised how non-commercial temporary signage should be handled moving forward.

Hank Gonzalez, Business Owner in Auburn, asked about the legal liability to the City by forcing a business to remove certain types of signs. He asked why this issue is even being discussed, if there are no complaints or current problems. It said this signage is important to the local businesses.

Mayor Hanley explained why the Council feels it is necessary to revise the sign ordinance.

Victoria Connolly, resident of Auburn, said she is concerned with ongoing political signage. She spoke in favor of neon signs. She also addressed Hank Gonzales' question of liability.

Harvey Roper, on behalf of the Downtown Business Association, said they feel it is time to terminate the temporary sign program. He said they agree with the amortization program for non-conforming signs.

Dave Johnson, on behalf of the Old Town Business Association, said he notified the Old Town business owners about this hearing and ordinance and did not receive much feedback in opposition of it. He said he personally doesn't agree with the verbiage about not being able to replace neon signage. He said he doesn't oppose the ordinance or having it enforced, but some of the details need to be worked out.

Council Member Nesbitt asked staff about programmable window signage.

Council Member Kirby asked staff about paper real estate listings in windows.

Brian Hayes, resident of Auburn, gave a short presentation on business and the economy (he walked away from podium, inaudible). He spoke in opposition of a sign ordinance at this time.

Surina Leibold, resident of Auburn, spoke in favor of updated informational signage for businesses.

Joe Labrie, City Clerk, spoke about revisions he would like to see in regards to garage sale signs and temporary non-commercial signs.

Jerry Kopp, Business Owner in Auburn, asked for a definition of a "window sign". He also asked about City signs being exempt.

Bob Snyder, resident of Auburn, spoke about restrictions on real estate signs and garage sale signs in the proposed ordinance.

Council Member Kirby asked for clarification on the limit of window signs.

Council Member Holmes asked for clarification on real estate signage in the public right of way.

Council Member Powers said she recommends the banners be allowed for 40 days. She said she would like garage sale sign restrictions be removed as proposed in the memo. She said she doesn't see the need to restrict neon signs in Old Town.

Council Member Kirby said while he does believe an updated sign ordinance is needed; it does not need to be so restrictive. He said he does not agree with the neon sign restrictions in Old Town. He said while Auburn is leading in regards to economic recovery in Placer County, he feels the businesses are still fragile and won't support anything that could hurt the local businesses moving forward.

Council Member Nesbitt said he agrees with the 40-day for banners. He said the neon sign part of the ordinance is too subjective. He said he wants to remove the section in regards to regulating neon signs altogether.

Council Member Holmes said he would like revised verbiage in the abandoned signage in regards to historical signs. He said he would like section 159.197 (a) 4 [regarding damage being determined by the Director] removed. He said he also would like verbiage addressing grandfathering in non-conforming signs to remain unaffected.

City Attorney Michael Colantuono explained the non-conforming sign section of the ordinance.

Mayor Hanley said it is time to create new clear rules in regards to signs without putting new burdens on the local businesses. He said he supports increasing banner usage to 40 days a year. He said he also supports not having restrictions on neon signage. He said he agrees

with adding verbiage to “abandoned signs” in regards to historical signage.

By **MOTION**, introduce and hold a first reading, by title only, and amend the ordinance as presented by removing (S) “Window Signs”, paragraph 4 “Historic District of the Old Town Design Review District”, add to section 159.198 (c): “Historic signs in the City of Auburn that appear to be abandoned would be subject to Historic Design Review Commission decision”, and increase the time period for banners to 40 days a year.

MOTION: Holmes/ Kirby/ Approved 5:0

There was further discussion about historic signage throughout Auburn.

By **MOTION**, adopt a **RESOLUTION 12-107** thereby continuing to provide the Community Development Director with authority to utilize prosecutorial discretion in the application of the temporary sign requirements terminating ninety (90) days following effectuation of the City’s Updated Sign Ordinance.

MOTION: Holmes/ Kirby/ Approved 5:0

Council recessed for 5 minutes

COUNCIL BUSINESS

6. Performance Budget Discussion/ Fire Department

Fire Chief Mark D'Ambrogi presented this item. He said this presentation and budget is based on four main key areas: (1) Fire Administration and Fiscal Support Services, (2) Fire Training and Education Program, (3) Fire Prevention and Development Services, (4) Fire Operations Program. He reviewed statistical information including: Personnel, Emergency Response, Fire Apparatus Status and Condition, Fire Prevention Activities, Public Education, Training, Employee Safety, Grants, Fire Response Percentages, Fire Facilities, and the Emergency Operations Plan.

Council Member Kirby asked about the status and maintenance of the airport emergency apparatus support vehicle. He also asked if this type of budget based performance was useful and worthwhile.

Chief D'Ambrogi said this type of budget reporting helps “paint the picture of the story.” He said it also acts as a good exercise in gathering statistics.

Council Member Powers said she would like to see what the fire department needs going forward.

Council Member Holmes asked about a recent grant application for a fire truck. He asked when the specific gender accommodations at the facilities will be made. He asked which criteria in this type of budget reporting are seen as the most beneficial.

Council Member Nesbitt asked about the vehicle accident statistics, statistics on shaded fuel breaks, future budgeted items, multiple follow-ups on house inspections, and HOA open space treated.

Mayor Hanley said performance based budgeting is more than a management tool for the department heads of the City. He said it shows the taxpayer what they are receiving in terms of services each year from each department.

REPORTS

7. City Council Committee Reports

Council Member Holmes reported on the Sierra Economic Development Corporation having a workshop in Auburn on October 17th to get input on future projects. He also reported on the Placer County Transportation Planning Agency, saying the Airport Land Use Commission has contracted with Mead & Hunt to upgrade the Airport Land Use Compatibility Plan.


Council Member Nesbitt reported on the Streetscape History Art Advisory Committee's work on street names and the possibility of using a theme.

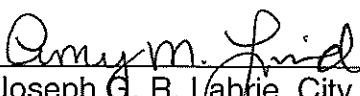
Council Member Kirby reported on the Temporary Sewer Committee and the upcoming meeting.

Council Member Powers reported on Sierra Economic Development Corporation and the Business Bootcamp that will be held in October. She reported that this Friday is the Auburn Industry 2012 event at the Auburn Airport. She said it includes a VIP lunch at the Ridge with guest speaker Kelly Brothers.

ADJOURNMENT

Mayor Hanley adjourned the meeting, without objection, at 8:37 p.m.



Kevin Hanley, Mayor

Joseph G. R. Labrie, City Clerk